

REMARKS

Claims 1 to 11, 15 to 25 and 29 are pending in the application, with Claims 12 to 14 and 26 to 28 having been canceled, and with Claims 1, 15 and 29, the independent claims, having been amended herein. Reconsideration and further examination are respectfully requested.

Claims 1 to 11, 15 to 25 and 29 were rejected under 35 U.S.C. § 112, first paragraph, for allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. Reconsideration and withdrawal of the foregoing rejection are respectfully requested.

Turning to specific claim language, amended independent Claim 1 is directed to an image processing apparatus capable of variable magnification processing of output information, the apparatus including holding means for holding output images in a first size and output positions thereof, and holding output images in a second size and output positions thereof, wherein each of the output images is expressed by a plurality of objects, and each of the objects is assigned rendering attributes corresponding to the size and the output positions, selection means for selecting a desired image from the output images held by the holding means, and designating an output size of the selected image, generation means for generating an output image corresponding to the output size on the basis of a ratio of change in output image between the first and second sizes held by the holding means of the image selected by the selection means, determination means for determining a rendering position of the output image corresponding to the output size on the basis of a ratio of change in output position between the first and second sizes held by

the holding means of the image selected by the selection means, and rendering means for rendering the output image generated by the generation means at the rendering position determined by the determination means.

Applicants submit that the amendments to Claims 1, 15 and 29 set forth herein render moot the rejection under 35 U.S.C. § 112, first paragraph. In particular, amended Claims 1, 15 and 29 are believed to be adequately supported by the description and figures of the subject application.

As an initial matter, Applicants respectfully submit that the Examiner is incorrectly concluding that amended independent Claim 1 is improperly including subject matter of a non-elected group. In the original restriction requirement in the present invention, as set forth in the September 11, 2001 Office Action, the claims were restricted to three groups: (I) Claims 31 to 40, allegedly drawn to a method for layout of a document; (II) Claims 1 to 11, 15 to 25 and 29, allegedly drawn to a method for computer graphic manipulation process; and (III) Claims 12 to 14, 26 to 28 and 30, allegedly drawn to the editing and controlling of the object's size.

Original Claim 1 of Group II (the second embodiment) was directed to the variable magnification processing of output images based on a changed size of an output image. Original Claim 12 of Group III (the first embodiment) was directed to the rendering of an object set through the use of edit means and change means to edit the objects and change the size of the objects, respectively. The Examiner now asserts in the Office Action that amended independent Claim 1 is attempting to include subject matter from Group III (the first embodiment) because it adds the limitation that "each of the output images is

expressed by a plurality of objects, and each of the objects is assigned rendering attributes corresponding to the size and the output positions” of the output images.

Applicants submit that the foregoing limitation that the output images are comprised of objects having assigned attributes is fully supported by the second embodiment of the invention and does not attempt to include the “edit” and “change” means of the first embodiment. There are no features of amended independent Claim 1 that claim, either expressly or inherently, the functions of “editing” an object or “changing” the size of an object. Instead, amended independent Claim 1 simply states that each image is comprised of objects having assigned attributes. The functions of amended independent Claim 1 remain to be directed to generating an output image corresponding to the output size on the basis of a ratio of change in output image between the first and second sizes held by said holding means of the selected image, and are not directed to editing or changing the objects.

The second embodiment of the invention as described in the specification fully supports the feature that each image is comprised of objects having assigned attributes. In this regard, Applicants direct the Examiner’s attention to page 34, lines 20 to 25, page 36, lines 12 to 18, page 40, lines 16 to 26, and page 41, lines 1 to 7. Applicants also direct the Examiner’s attention to Figure 8 (step S56), and Figure 15 (steps S88 & S89). In summary, the second embodiment of the invention supports the feature that an output image is comprised of objects having assigned attributes, and Applicants are not attempting to introduce the “editing” and “changing” functions of the first embodiment (Claim 12) into pending independent Claims 1, 15 and 29.

Accordingly, based on the foregoing amendments and remarks, Applicants respectfully submit that the § 112, first paragraph, rejection is improper, and therefore request reconsideration and withdrawal of the rejection. (See M.P.E.P. § 2163.03).

Independent Claims 1, 15 and 29 are therefore believed to be in condition for allowance and such action is respectfully requested.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

No other matters being raised in the Office Action, and in view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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